

650 Town Center Drive, Suite 620
Costa Mesa, CA 92626-1925
Phone: (714) 708-8555
Fax: (714) 708-8565

Birch, Stewart,
Kolasch & Birch, LLP

Fax

RECEIVED
CENTRAL FAX CENTER

MAY 31 2005

To: Examiner Patrick Nolan, Group 1644 From: Leonard R. Svensson
Fax: (703) 872-9306 Pages: 3 including cover sheet
Phone: Date: May 31, 2005
Your Ref.: Application No. 10/019,248 Our Ref.: 1390-0126P
Re: Statement of the Substance of an CC:
Interview

Urgent For Review Please Comment Please Reply Please Recycle

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited. If your receipt of this transmission is in error, please notify this firm immediately by collect call to (714) 708-8555, and send the original transmission to us by return mail at the address above.

• Comments:

RECEIVED
CENTRAL FAX CENTER

MAY 31 2005

MS AF
REPLY UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1644

PATENT
1390-0126P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MAISI, Paivi et al. Conf.: 1293
Appl. No.: 10/019,248 Group: 1644
Filed: October 19, 2001 Examiner: NOLAN, Patrick
For: METHODS AND TEST KITS FOR EVALUATING THE
PRESENCE AND SEVERITY OF RESPIRATORY
TRACT INFORMATION

STATEMENT OF THE SUBSTANCE OF AN INTERVIEW

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 31, 2005

Sir:

As explained in the Interview Summary Record forwarded with the Communication dated April 29, 2005, Applicants' representative conducted an interview with the Examiner on April 28, 2005. That interview primarily discussed the prior art rejection of the claims over the Torii et al. reference. Applicants' representative discussed the importance of the claim language relating to the methods being for a "chair-side, bed-side on-field test". Applicants also discussed the importance of the ability of the method to be conducted in a single step, and the importance of the method being able to diagnose specific diseases, such as those recited in amended claim 52 submitted with Applicants' response of April 18, 2005.

Appl. No. 10/019,248

No agreement was reached at the interview with regard to allowable claims, but Applicants' representative agreed to consider possible amendments to the claims in view of the Examiner's comments.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KO~~L~~ASCH & BIRCH, LLP


By 
Leonard R. Svensson, #30,330

P.O. Box 747
Falls Church, VA 22040-0747
(714) 708-8555

LRS/lmt
1390-0126P

Certificate of Transmission

I hereby Certify that this correspondence is being
 facsimile transmitted to the Patent and
 Trademark Office:

On May 31, 2005

Sonja M. Tillman Date

Sonja M. Tillman Signature

Typed or printed name of person signing certificate